

Notice of Allowability

Application No.

09/668,741

Applicant(s)

SAWAGUCHI, TAKASHI

Examiner

Justin T. Darrow

Art Unit

2132

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendments after final rejection filed 02/28/2005 and 03/01/2005.
2. ☒ The allowed claim(s) is/are 13,20,25 and 37.
3. ☒ The drawings filed on 20 September 2000 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ 'Some' c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

DETAILED ACTION

1. Claims 1-37 have been presented for examination. Claims 1 and 2 have been amended and new claims 28-37 have been added in an amendment filed 07/14/2004. Claims 1-12, 14-19, 21-24, and 26-36 have been canceled and claims 13 and 37 have been amended in an amendment after final rejection filed 02/28/2005. Claim 37 has been amended in an amendment after final rejection filed 03/01/2005. Claims 13, 20, 25, and 37 have been examined.

Response to Amendment

2. The amendments filed after final rejection under 37 CFR 1.116 on 02/28/2005 and 03/01/2005 will both be entered for compliance with the requirements of 37 CFR 1.121(c).

Information Disclosure Statement

3. The information disclosure statement (IDS) submitted on 02/28/2005 was filed after the mailing date of the final rejection Office action on 12/15/2004. The submission is in compliance with the provisions of 37 CFR 1.97(d). Accordingly, the information disclosure statement is being considered by the examiner.

Priority

4. Receipt is acknowledged of a paper submitted under 35 U.S.C. 119(a)-(d), which paper has been placed of record in the file.
5. Acknowledgment is made for the benefit of an earlier filing date of Application No. P11-271022 filed in Japan on 09/24/1999.

Allowable Subject Matter

6. Claims 13, 20, 25, and 37 are allowed.
7. The following is an examiner's statement of reasons for allowance:

Claims 13, 20, and 25 are drawn to a portable personal authentication apparatus. The closest prior art, Murphy, U.S. Patent No. 6,225,890 B1, discloses a similar apparatus. Although Murphy describes that the electronic system is a notifying system for giving urgent notification to a competent center in the case of an emergency having occurred (see column 5, lines 43-45; the system transmits an alarm to a selected facility apart from the vehicle; see column 5, lines 20-30; in an emergency where the vehicle is outside the permitted travel location or speed range), he neither teaches nor suggests that the portable personal authentication apparatus is used at least for notification of cancel given in the case of canceling the urgent notification. This particular feature explicitly recited in independent claim 13 renders claims 13, 20, and 25 allowable.

Claim 37 is drawn to a portable personal authentication apparatus. The closest prior art, Hsu et al., U.S. Patent No. 6,038,666 A in view of Murphy, U.S. Patent No. 6,225,890 B1, discloses a similar apparatus. Although Murphy describes that the electronic system is a notifying system for giving urgent notification to a competent center in the case of an emergency

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having occurred (see column 5, lines 43-45; the system transmits an alarm to a selected facility apart from the vehicle; see column 5, lines 20-30; in an emergency where the vehicle is outside the permitted travel location or speed range), neither Murphy nor Hsu et al. teach nor suggest that the portable personal authentication apparatus is used at least for notification of cancel given in the case of canceling the urgent notification. This particular feature explicitly recited in independent claim 37 renders claim 37 allowable.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Telephone Inquiry Contacts

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Justin T. Darrow whose telephone number is (571) 272-3801, and whose electronic mail address is justin.darrow@uspto.gov. The examiner can normally be reached Monday-Friday from 8:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barrón, Jr., can be reached at (571) 272-3799.

The fax number for Formal or Official faxes to Technology Center 2100 is (703) 872-9306. In order for a formal paper transmitted by fax to be entered into the application file, the paper and/or fax cover sheet must be signed by a representative for the applicant. Faxed formal papers for application file entry, such as amendments adding claims, extensions of time, and

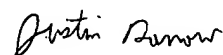
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statutory disclaimers for which fees must be charged before entry, must be transmitted with an authorization to charge a deposit account to cover such fees. It is also recommended that the cover sheet for the fax of a formal paper have printed "**OFFICIAL FAX**". Formal papers transmitted by fax usually require three business days for entry into the application file and consideration by the examiner. Formal or Official faxes including amendments after final rejection (37 CFR 1.116) should be submitted to (703) 872-9306 for expedited entry into the application file. It is further recommended that the cover sheet for the fax containing an amendment after final rejection have printed not only "**OFFICIAL FAX**" but also "**AMENDMENT AFTER FINAL**".

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (571) 272-2100.

March 17, 2005



JUSTIN T. DARROW
PRIMARY EXAMINER
TECHNOLOGY CENTER 2100